

FIRST REGULAR SESSION

# HOUSE BILL NO. 540

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LICHTENEGGER.

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D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to the senior services growth and development program.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be known as section 192.385, to read as follows:

**192.385. 1. There is hereby established in the department of health and senior services the "Senior Services Growth and Development Program" to provide additional funding for senior services provided through the area agencies on aging in this state.**

**2. Beginning January 1, 2018, and each year thereafter, ten percent of the premium tax collected under sections 148.320 and 148.370, excluding any moneys to be transferred to the state school moneys fund as described in section 148.360, shall be deposited in the fund created in subsection 3 of this section.**

**3. (1) There is hereby created in the state treasury the "Senior Services Growth and Development Program Fund", which shall consist of moneys collected under this section. The director of the department of revenue shall collect the moneys described in subsection 2 of this section and shall remit such moneys to the state treasurer for deposit in the fund, less one percent for the cost of collection. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely by the department of health and senior services for enhancing senior services provided by area agencies on aging in this state.**

**(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **general revenue fund. This fund is not intended to supplant general revenue provided for**  
19 **senior services.**

20 **(3) The state treasurer shall invest moneys in the fund in the same manner as other**  
21 **funds are invested. Any interest and moneys earned on such investments shall be credited**  
22 **to the fund.**

23 **4. The department of health and senior services shall disburse the moneys from the**  
24 **fund to the area agencies on aging in accordance with the funding formula used by the**  
25 **department to disburse other federal and state moneys to the area agencies on aging.**

26 **5. At least fifty percent of all moneys distributed under this section shall be applied**  
27 **by area agencies on aging to the development and expansion of senior center programs,**  
28 **facilities, and services.**

29 **6. All area agencies on aging shall report, either individually or as an association,**  
30 **annually to the department of health and senior services, the department of insurance,**  
31 **financial institutions and professional registration, and the general assembly on the**  
32 **distribution and use of moneys under this section. The board of directors and the advisory**  
33 **board of each area agency on aging shall be responsible for ensuring the proper use and**  
34 **distribution of such moneys.**

35 **7. The department of health and senior services may promulgate rules to implement**  
36 **the provisions of this section. Any rule or portion of a rule, as that term is defined in**  
37 **section 536.010, that is created under the authority delegated in this section shall become**  
38 **effective only if it complies with and is subject to all of the provisions of chapter 536, and,**  
39 **if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any**  
40 **of the powers vested with the general assembly pursuant to chapter 536 to review, to delay**  
41 **the effective date, or to disapprove and annul a rule are subsequently held**  
42 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
43 **after August 28, 2017, shall be invalid and void.**

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